

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

HTC Corporation and HTC America, Inc.,

Plaintiffs,

v.

Telefonaktiebolaget LM Ericsson and Ericsson  
Inc.

Defendants.

Case No.: 6:18-cv-00243-JRG

**JURY TRIAL DEMANDED**

**PUBLIC VERSION**

Telefonaktiebolaget LM Ericsson and Ericsson  
Inc.,

Counterclaim Plaintiffs,

v.

HTC Corporation and HTC America, Inc.

Counterclaim Defendants.

**DECLARATION OF CHELSEA PRIEST IN SUPPORT OF DEFENDANTS  
TELEFONAKTIEBOLAGET LM ERICSSON AND ERICSSON INC.'S MOTION TO  
SEVER, STAY, AND COMPEL ARBITRATION OF PLAINTIFFS' "PAST REFUND"  
CLAIMS UNDER PRIOR LICENSE AGREEMENTS**

I, Chelsea Priest, do state and declare as follows:

I am an attorney at the law firm of McKool Smith PC ("McKool Smith"), counsel for Defendants and Counterclaim Plaintiffs Telefonaktiebolaget LM Ericsson and Ericsson Inc. I make this declaration in support of Ericsson's Motion to Sever, Stay, and Compel Arbitration of Plaintiffs' "Past Refund" Claims Under Prior License Agreements. Unless otherwise stated, the matters contained in this declaration are of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein.

1. Attached as Exhibit A is a true and correct copy of the Global Patent License Agreement between Ericsson and HTC, dated December 15, 2003.
2. Attached as Exhibit B is a true and correct copy of the Global Patent License Agreement between Ericsson and HTC, dated December 15, 2008.
3. Attached as Exhibit C is a true and correct copy of the Global Patent License Agreement between Ericsson and HTC, dated December 30, 2014.
4. Attached as Exhibit D is a true and correct copy of excerpts from the transcript of proceedings held before the Honorable Marsha J. Pechman, U.S. District Court for the Western District of Washington, on the motion to dismiss or transfer venue, held on May 8, 2018.
5. Attached as Exhibit E is a true and correct copy of HTC's Response to Ericsson's FRAND Contentions, dated July 5, 2018.
6. Attached as Exhibit F is a true and correct copy of [REDACTED]  
[REDACTED]
7. Attached as Exhibit G is a true and correct copy of excerpts from International Court of Arbitration Rules, in force as of March 1, 2017.

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on August 15, 2017 in Dallas, Texas.

/s/ Chelsea Priest  
Chelsea Priest